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S E C R E T THE HAGUE 000826

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STATE FOR ISN/CB, VCI/CCA, L/NPV, IO/MPR,
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SUBJECT: CWC: WRAP-UP FOR SEPTEMBER 22-26, 2008

REF: A. THE HAGUE 799
[1](#)B. THE HAGUE 776
[1](#)C. THE HAGUE 777

Classified By: Ambassador Eric M. Javits for reasons 1.4 (B) and (D)

This is CWC-043-08

SUMMARY

[1](#)1. (SBU) Informal consultations continued on the budget September 25, as well as a final consultation on the External Auditor's Report on September 22. The Western European and Others Group (WEOG) compared notes on the various facilitations and the upcoming Executive Council (EC), with concern increasing over Iran's plans for Articles X and XI as well as its efforts to revise the EC agenda. The U.S. Delegation hosted Pacific Rim colleagues to lunch to share views. The Asian Group has not yet begun seeking a chairman for the Conference of States Parties (CSP), but Japan and China plan to do so, with the Chinese Ambassador a possible candidate.

[1](#)2. (S) On Lebanon's accession to the Chemical Weapons Convention, Delreps spoke with OPCW Legal Advisor Onate, who described the pressures facing new President Sleiman from neighboring countries that Lebanon not accede as planned.

WEOG

[1](#)3. (SBU) At its weekly meeting on September 22, the Western European and Others Group (WEOG) discussed the budget consultations, the upcoming Executive Council, and the recent meetings on Articles X and XI. Budget Facilitator Martin Strub (Switzerland) noted that the major issues will be the number of Other Chemical Production Facility (OCPF) inspections and Iran's insistence on rejecting references to non-proliferation in the budget as part of the CWC's mandate. WEOG Coordinator Ruth Surkau (Germany) noted that the Conference of States Parties at its

10th session decided to include non-proliferation as a goal for the budget.

¶4. (SBU) Surkau reported for Ambassador Burkart (Germany) on the recent EC Bureau meeting. The Iranian delegate (the new ambassador has not arrived yet in The Hague) requested deletion of the agenda item on OCPF declarations, but the EC Chairperson, the Director-General and Burkhart all opposed the request. The Iranian remained obstinate, stating that he would seek instructions from Tehran. The Iranian delegation has since filed a complaint with the Director-General (DG). Surkau observed that Iran is clearly not representing the Asian Group in the Bureau, and that the agenda issue will doubtless be brought before the EC. Amb. Javits raised the question of the Asian Group's chairing the annual CSP following Africa last year. No one had heard anything yet about candidates for the CSP chair but WEOG delegations agreed to ask Asian colleagues. (Del note: In a courtesy call later in the week with the new Pakistani Ambassador, Arif Ayub, who is coordinator for the Asian Group, Amb. Javits inquired as to whether he would be interested in a "leadership position" in the OPCW, explaining that the next chair of the CSP would be Asia. He did not express interest for himself.)

¶5. (SBU) On Article XI, WEOG delegations expressed concern about the Iranian insistence on a review of old documents and reference to "dual track" facilitations (Ref A). The UK delegate noted that Qfacilitations (Ref A). The UK delegate noted that the Non-Aligned Movement (NAM) may be cooling on the idea for a working group and workshop, given western support. Amb. Javits advised that the discussions will probably go slowly but that we should let the discussion unfold until there is something we can support. Surkau noted that this EC was tasked to report to the CSP on concrete measures, so that "time is running."

¶6. (SBU) WEOG delegations held similar views to the Del's on the Article X consultation and the coordination between OPCW and the UN Office of the Coordinator for Humanitarian Assistance (UNOCHA) (Ref A), including fear of duplication of efforts and deficiencies in OPCW planning. Delrep noted the repeated Iranian references to "after care" for victims and implications for assistance to current victims of previous chemical attacks in their recent statements. The UK delegate expressed disappointment with the presentation by the Technical Secretariat (TS) of its activities, and said London is considering proposing a feasibility study and an analysis of planning gaps. Iran, she said, is likely to try to insert report language at the last minute at the CSP, no matter what direction the facilitation takes.

EXTERNAL AUDITOR'S REPORT

¶7. (U) On September 22, Takayuki Kitagawa (Japan) facilitated a second consultation on the External Auditor's Report. The consultation also included discussion on the recently-released Report on the Status of Implementation of the Recommendations of the External Auditor. The meeting began with a presentation by the TS responding to questions raised by delegations during the previous consultation (Ref B), with the TS answering most questions to delegations' satisfaction. While South Africa, Cuba, and Iran made brief editorial comments on the report's language, no one raised any substantive objections. At the end of the unusually short consultation, the facilitator banged his gavel and

announced that both reports would be noted at the upcoming EC.

PACIFIC LUNCH

18. (SBU) The U.S. Del hosted colleagues from the Pacific Rim to lunch as part of a series of occasional meetings to share views. Delegates from Japan, South Korea, China, Australia, New Zealand and Canada attended. Discussion was wide-ranging, including the upcoming conferences in Florence (industry issues) and Vilnius (sea dumped CW), the upcoming EC and ongoing consultations. Delrep asked whether the Asian Group had discussed chairing the CSP; they had not. However, the Chinese Deputy Perm Rep thought his new ambassador might be interested in the chair. Other delegates noted that the new Pakistani ambassador has broad background in multilateral affairs and would likely take an active interest in finding a suitable chairman for the CSP, if not volunteering himself. The Indian ambassador was cited as another potential candidate, but no one knew whether or when she would be leaving, and her expert OPCW delegate will be departing post soon. The Japanese delegate later told Delrep that he was reporting back to Tokyo seeking his government's views on the chairmanship.

19. (SBU) On Article XI, the Chinese facilitator was not sure whether the Cuban delegate would lead the working group to plan a brainstorming workshop (Ref A). He did not have more details on Iranian plans for a "dual track" approach. For industry issues, the delegations not invited to Florence were interested in what outcome was expected, but felt that any new ideas to jump-start the process could be helpful. The Chinese delegates reiterated their position on holding the numbers of OCPF inspections level until further consideration of the site selection issues takes place; several delegates argued that the numbers need to increase in any case, and should not have to wait for political deliberations to conclude.

BUDGET: PMO, ERD, OIO, Legal Advisor,
Confidentiality, Health and Safety

10. (U) Martin Strub (Switzerland) chaired the budget consultation on September 25. Due to the absence of the Deputy Director-General (DDG), the agenda was re-ordered slightly, moving the discussion of the offices of the DG, DDG and Special Projects to September 29. Alexander Khodakov (Secretary to the Policy-Making Organs, PMO) stated that his budget was the same as last year's except for two posts that are proposed to convert to fixed term positions and reductions from the Review Conference expenditures this year. Delrep supported the regularization of the two posts, as well as U.S. support for additional funding in the regular budget for the Scientific Advisory Board and its technical working groups. She asked about greater specificity in the performance indicators, particularly for the delivery of documents on time, a longstanding issue among delegations. The discussion that followed focused on Key Performance Indicators (KPIs), with the South African and Netherlands delegations noting the system-wide problem for late delivery of documents and the need for an indicator that will measure PMO's performance without an element of blame for documents that they do not receive on time.

11. (U) Malik Ellahi (Head, Government Relations)

presented the budget for the External Relations Division (ERD), noting greater bilateral activity and fewer workshops on universality as the number of States not Party decreases. The Iranian delegate questioned the "enhanced cooperation" with the UN and other international organizations, and objected to the term "partnership" particularly in reference to "non-proliferation." Ellahi patiently explained that the OPCW has an agreement with the UN, and works with regional organizations such as the Arab League, the African Union and others. While there are not always terms of reference for the relationships, he said, these interactions come out of decisions made by the member states on universality and other matters. India, after being welcomed back to the consultation after an extended absence, raised questions about the plans for expanded media coverage, particularly on destruction, a "sensitive" issue to possessor states.

¶12. (U) For the offices of Health and Safety and Internal Oversight (OIO), the Technical Secretariat noted the increases in training costs as one-time adjustments, primarily for staff to keep abreast with their fields. While there were no questions on health or safety, several delegations (China, Netherlands, South Africa) asked OIO why there had never been an external assessment of an OIO report. The Dutch delegate later told Delrep that her government will insist that an external audit be added to this budget, to meet international standards. For the Office of Confidentiality and Security, Joseph Hogan (Head, Physical security) stated there were no major new spending initiatives. The South African delegate asked about the drop in contract security costs. Hogan replied that it was due to the Second Review Conference costs dropping

out, and that they had found a more efficient way to provide contract services.

¶13. (U) Santiago Onate, the Legal Advisor, gave a comprehensive overview of his office's work and budget, noting no changes to staffing. The only budgetary increase (under contractual services) is for publication of a revised book of OPCW legal texts. To a South African question on the increasing complexity of legal work cited in the draft budget, Onate replied that many states have completed their basic legislation but now require assistance with administrative regulations (for declarations, domestic inspections, licensing) that need more detailed and specific review of individual legal systems. On KPIs, Onate acknowledged the difficulty of measuring performance of legal assistance but said that 100% response to however many requests they receive is the only way they could find to measure their work. To the German delegate's question on how many requests are typical in a year, Onate said their range for the last three years was 19-27 requests annually for technical assistance visits and 29-40 requests annually for comments on drafts received. He believes his staffing is adequate for those numbers, but noted that two of his seven professional staff positions currently are vacant.

LEBANON ACCESSION TO CWC

¶14. (S) In private conversations September 26, Delreps asked Legal Advisor Onate about Lebanese accession to the Convention and the reports of pressure, including an Arab League letter to the Lebanese government urging it not to accede. Onate said that President Sleiman, when he was head of the Army, had been a major proponent of joining the CWC to protect his troops. Now that he is President, he

appears to be taking a "broader view" under competing pressures, including the opposition of Egypt and Syria to Lebanon's accession. Onate has not seen the Arab League letter but was informed of it by an officer named Johnny Ibrahim from the Lebanese Foreign Ministry who used to work in The Hague, is now back in Beirut, and coordinated the recent TS visit there.

¶15. (S) Onate said that in conversation with PM Siniora during that visit, Siniora mentioned that he had had contact with "other Arab states" on the topic of CWC accession, at which point someone else in the meeting cut him off in Arabic. Onate said he made the point with Siniora that the reading of some states of an Arab League decision was incorrect, and that it referred to the NPT and not the CWC. He also noted that there are members of the Arab League who are very active in the OPCW.

¶16. (S) Onate also recalled an incident at the Rome Workshop on Universality, at which an Arab League representative spoke out against the CWC. Ambassador Dani of Algeria vehemently responded in defense of the Organization, noting that the Arab League works on consensus and the statement made clearly did not represent the views of its membership, many of whom are members of the OPCW. Onate told Delrep he recently contacted Dani to discuss the Arab League letter, and Dani said that while he respected Qletter, and Dani said that while he respected Ibrahim, he found this news surprising, as such a letter from the Arab League Secretary General would be "suicide" if it got out.

¶17. (U) Javits sends.
Culbertson